

May 21, 2011

VIA COURIER

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

FILED/ACCEPTED

MAY 21 2011

Federal Communications Commission
Office of the Secretary

Attention: Video Division
Media Bureau

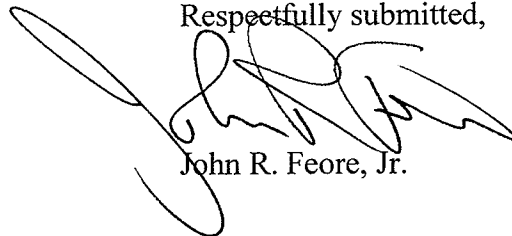
Re: WEPX-TV, Greenville, North Carolina
Facility I.D. No. 81508
Petition to Amend the DTV Table of Allotments

Dear Ms. Dortch:

On behalf of ION Media Greenville License, Inc., licensee of commercial television station WEPX-TV, Greenville, North Carolina, we hereby transmit an original and four copies of a *Petition for Rule Making* requesting the substitution of Channel 26 for Channel 51 at Greenville, North Carolina in the DTV Table of Allotments.

If any additional information is needed in connection with this matter, please contact me.

Respectfully submitted,



John R. Feore, Jr.

Enclosure

cc: Ms. Joyce Bernstein (via e-mail)

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Section 73.622(i))	MB Docket No. _____
Post-Transition Table of Allotments,)	RM- _____
Digital Television Broadcast Stations)	
(Greenville, North Carolina))	
)	

To: Office of the Secretary
Attn: Chief, Video Division
Media Bureau

**PETITION FOR RULE MAKING
TO AMEND THE DTV TABLE OF ALLOTMENTS**

By its attorney and pursuant to Sections 1.401, 73.616, and 73.622(a) of the Commission's Rules,¹ ION Media Greenville License, Inc. ("Licensee"), licensee of WEPX-TV, Greenville, North Carolina (the "Station"), hereby respectfully petitions the Commission to institute a rulemaking to amend Section 73.622(i), the Post-Transition DTV Table of Allotments, by substituting Channel 26 as the Station's post-transition DTV channel in lieu of Channel 51. This instant petition is submitted in accordance with the Commission's announcement that it would lift the freeze on channel change petitions filed by parties relocating from Channel 51 pursuant to a voluntary relocation agreement.²

¹ 47 C.F.R. §§ 1.401, 73.616, 73.622(a).

² See General Freeze on the Filing and Processing of Applications for Channel 51 Effective Immediately and Sixty (60) Day Amendment Window for Pending Channel 51 Low Power Television, TV Translator and Class A Applications, *Public Notice*, 26 FCC Rcd 11409 (Med. Bur. 2011). Licensee is entering into a voluntary relocation agreement regarding the Station with King Street Wireless, L.P. and United States Cellular Corp.

Specifically, the Post-Transition DTV Table of Allotments would be amended as follows:

	<u>Present</u>	<u>Proposed</u>
Greenville, NC	10, *23, 47, <u>51</u>	10, *23, <u>26</u> , 47

The proposed amendment would be in the public interest. Licensee is seeking the channel substitution because operations on Channel 26 would allow the Station to expand service beyond that allowed on Channel 51. Moreover, the cessation of operations on Channel 51 would eliminate potential interference with wireless operations in the adjacent Lower 700 MHz A Block.³

As the attached Technical Exhibit demonstrates, the proposed facility complies with the Commission's rules for post-transition DTV operation. The Station's proposed service area encompasses its community of license, and the proposed parameters comply with the Commission's interference standards.⁴ The proposed facility would serve all viewers currently receiving digital service, and it would reach more than one hundred thousand additional persons.⁵ The antenna is non-directional.

For the convenience of the Commission, we hereby provide the present and proposed parameters:

³ See, e.g., *Lincoln, Nebraska*, 27 FCC Rcd 433 (Med. Bur 2012) (public interest served by clearing DTV broadcaster from Channel 51); *Jackson, Mississippi*, 26 FCC Rcd 3935 (Med. Bur 2011) (same); see also Reallocation and Service Rules for the 698-746 MHz Spectrum Band (Television Channels 52-59), *Report and Order*, 17 FCC Rcd 1022, 1096, n.549 (2002) (public interest served by making new or advanced wireless services available to consumers).

⁴ See Attachment A, Technical Exhibit at 1-2; 47 C.F.R. §§ 73.616(b),(e), 73.623(d), 73.625(a).

⁵ Attachment A, Technical Exhibit at 2.

Present:

Facility ID	State and City		NTSC	DTV					
			Ch	Ch	ERP kW	HAAT (m)	Antenna ID	Latitude (DDMMSS)	Longitude (DDMMSS)
81508	NC	GREENVILLE	--	51	114	140		35-24-09	77-25-10

Proposed:

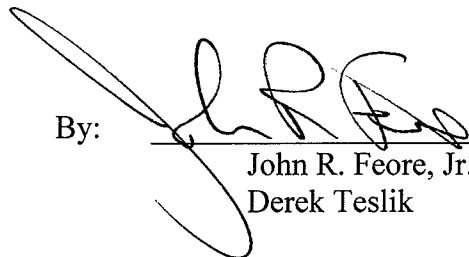
81508	NC	GREENVILLE	--	26	278	141		35-24-09	77-25-10
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For the foregoing reasons, Licensee respectfully requests that the Commission amend the Post-Transition DTV Table of Allotments as proposed. Adoption would serve the public interest by permitting the Station to serve more viewers than it could reach on its current channel.

Respectfully submitted,

ION MEDIA GREENVILLE LICENSE, INC.

By:



John R. Feore, Jr.
Derek Teslik

Its Attorneys

Dow Lohnes PLLC
1200 New Hampshire Avenue, N.W.
Suite 800
Washington, D.C. 20036-6802
(202) 776-2000

Dated: May 21 2012

ATTACHMENT A

Technical Exhibit

TECHNICAL EXHIBIT
PETITION FOR RULE MAKING TO
MODIFY THE DTV TABLE OF ALLOTMENTS
STATION WEPX-TV
GREENVILLE, NORTH CAROLINA

This Technical Exhibit was prepared on behalf of television station WEPX-TV assigned to Greenville, North Carolina in support of a *Petition for Rule Making* to modify the DTV allotment of WEPX-TV to substitute channel 26 for the current channel 51 DTV allotment.

Station WEPX-TV proposes to operate on UHF channel 26 at its current site (35-24-09, 77-25-10, NAD-27) with an effective radiated power (ERP) of 278 kilowatts (kW) employing a non-directional (ND) antenna system with an antenna height above average terrain (HAAT) of 141 meters. This is the transmitter site, antenna pattern, and antenna radiation center elevation that WEPX-TV employs for its current post transition digital facility on channel 51.

The following details the WEPX-TV proposed DTV allotment facilities:

Facility ID	State & City		NTSC	DTV							
			Chan	Chan	ERP (kW)	HAAT (m)	Latitude (DDMMSS)	Longitude (DDMMSS)	Area (sq km)	Population (thousand)	Percent IX Received
81508	NC	Greenville	--	26	278	141	35-24-09	77-25-10	15884	715	3.0
Non-Directional Antenna , Rc = 151.8 m AMSL											

Figure 1 is a map showing the predicted noise limited (41 dBu) contours for the present and proposed WEPX-TV digital television operations. The extent of the contours is calculated using the FCC's standard prediction method along 36 evenly spaced radials with a 3 second digitized terrain database. The predicted 41 dBu contour is shown for the present WEPX-TV operation on channel 51 (114 kW-ND, 140 m), and the predicted 41 dBu contour is shown for the proposed WEPX-TV operation on channel 26 (278 kW-ND, 141 m). As shown on Figure 1, the proposed WEPX-TV channel 26 contour encompasses the present

channel 51 contour. The map also shows the Greenville, NC city limits and the predicted 48 dBu principal city contour for the proposed WEPX-DT channel 26 DTV operation.

The following are estimates of the population (2010 US Census) within the 2 predicted noise limited contours shown on Figure 1.

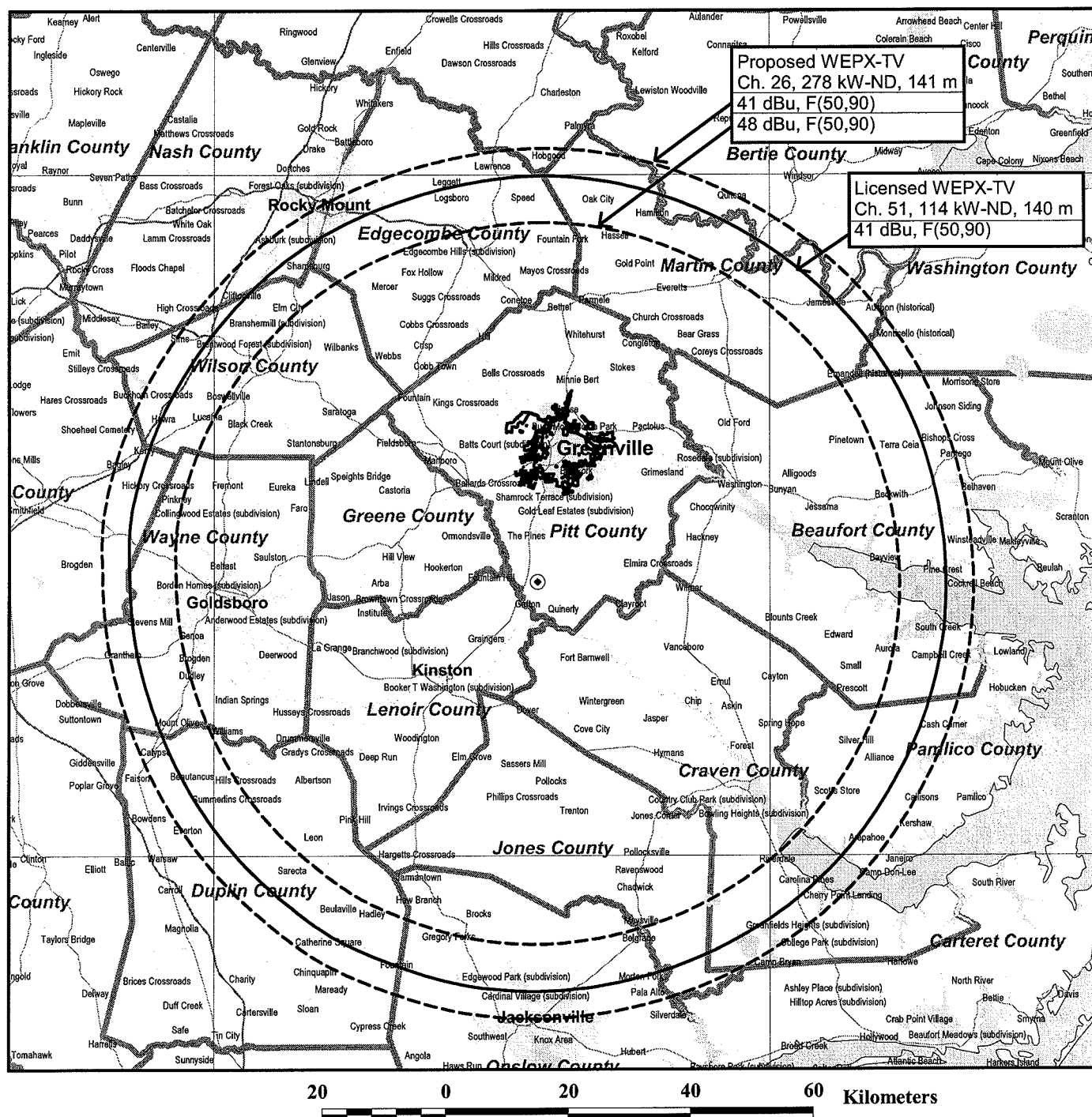
Present WEPX-TV Ch.51, 41 dBu	693,994 people
Proposed WEPX-TV Ch.26, 41 dBu	<u>797,400</u> people
Predicted Gain	103,406 people
Predicted Loss	0 people

Figure 2 is a printout from the FCC's OET-69 computer program that calculates the service and interference populations for the proposed WEPX-TV operation using the OET-69 model and the 2000 US Census. As shown, the proposed WEPX-TV channel 26 operation complies with the FCC's interference standards.

John A. Lundin
du Treil, Lundin & Rackley, Inc.
201 Fletcher Avenue
Sarasota, Florida 34237
(941) 329-6011

May 18, 2012

Figure 1



Percent allowed new interference: 0.500
Percent allowed new interference to non Class A LPTV: 2.000
TW Census data selected 2000
Data Base Selected
/export/home/cdbs/pt_tvdb.sff

TV INTERFERENCE and SPACING ANALYSIS PROGRAM

Date: 05-17-2012 Time: 16:30:15

Record Selected for Analysis

WEPX-DT USERRECORD-01 GREENVILLE NC US
Channel 26 ERP 278. kW HAAT 141. m RCAMSL 00152 m
Latitude 035-24-09 Longitude 0077-25-10
Status APP Zone 2 Border Site number: 01
Last update Cutoff date Docket
Comments
Applicant

Cell Size for Service Analysis 2.0 km/side

Distance Increments for Longley-Rice Analysis 1.00 km

Facility (site # 01) meets maximum height/power limits

Site number	1			
Azimuth	ERP	HAAT	41.0	dBu F(50,90)
(Deg)	(kW)	(m)	(km)	
0.0	278.000	136.7	70.8	
45.0	278.000	138.5	71.0	
90.0	278.000	142.7	71.3	
135.0	278.000	147.0	71.7	
180.0	278.000	143.5	71.4	
225.0	278.000	141.0	71.2	
270.0	278.000	137.3	70.9	
315.0	278.000	137.8	70.9	

Evaluation toward Class A Stations from site # 01

No Spacing violations or contour overlap
to Class A stations from site # 01

Class A Evaluation Complete

Checks to Site Number 01

Proposed facility OK to FCC Monitoring Stations

Proposed facility OK toward West Virginia quiet zone

Proposed facility OK toward Table Mountain

Proposed facility is beyond the Canadian coordination distance

Proposed facility is beyond the Mexican coordination distance

Proposed station is OK toward AM broadcast stations

Start of Interference Analysis

Channel	Proposed Station Call	City/State	ARN
26	WEPX-DT	GREENVILLE NC	USERRECORD01

Stations Potentially Affected by Proposed Station

Chan	Call	City/State	Dist(km)	Status	Application	Ref. No.
25	WUNC-TV	CHAPEL HILL NC	166.0	LIC	BLEDT	20090824ABP
26	WRLH-TV	RICHMOND VA	235.1	LIC	BLCDT	20041207AAW
27	WLFL	RALEIGH NC	104.7	LIC	BLCDT	20090612AIF

%%%

Analysis of Interference to Affected Station 1

Analysis of current record

Channel	Call	City/State	Application	Ref. No.
25	WUNC-TV	CHAPEL HILL NC	BLEDT	-20090824ABP

Stations Potentially Affecting This Station

Chan	Call	City/State	Dist(km)	Status	Application	Ref. No.
24	WEFC-TV	DANVILLE VA	132.2	CP	BPCDT	-20080317AIL
25	WUNF-TV	ASHEVILLE NC	327.9	CP	BPEDT	-20080619AEH
25	WUNF-TV	ASHEVILLE NC	327.9	CP MOD	BMPEDT	-20090511ANS
25	WUNF-TV	ASHEVILLE NC	377.8	CP MOD	BMPEDT	-20090511ANS
25	WUNF-TV	ASHEVILLE NC	327.9	LIC	BLEDT	-20030401BAI
25	WUNF-TV	ASHEVILLE NC	327.9	CP	BPEDT	-20120402AKH
25	WUNF-TV	ASHEVILLE NC	377.8	CP	BPEDT	-20120402AKH
25	WTVR-TV	RICHMOND VA	230.1	LIC	BLCDT	-20021204ABA
26	WEPX-DT	GREENVILLE NC	166.0	APP	USERRECORD-01	

Proposal causes no interference

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Analysis of Interference to Affected Station 2

Analysis of current record

Channel	Call	City/State	Application	Ref. No.
26	WRLH-TV	RICHMOND VA	BLCDT	-20041207AAW

Stations Potentially Affecting This Station

Chan	Call	City/State	Dist (km)	Status	Application	Ref. No.
25	WTVR-TV	RICHMOND VA	0.0	LIC	BLCDT	-20021204ABA
26	WHAG-TV	HAGERSTOWN MD	241.1	LIC	BLCDT	-20090612AFP
26	KYW-TV	PHILADELPHIA PA	347.6	LIC	BLCDT	-20090326ABH
27	WETA-TV	WASHINGTON DC	166.2	LIC	BLEDT	-20070727ACJ
27	WETA-TV	WASHINGTON DC	166.2	CP	BPEDT	-20120508ACC
27	WLFL	RALEIGH NC	220.4	LIC	BLCDT	-20090612AIF
26	WEPX-DT	GREENVILLE NC	235.1	APP	USERRECORD-01	

Total scenarios = 1

Result key: 1
Scenario 1 Affected station 2
Before Analysis

Results for: 26A VA RICHMOND BLC DT 20041207AAW LIC
HAAT 328.0 m, ATV ERP 800.0 kW

	POPULATION	AREA (sq km)
within Noise Limited Contour	1660181	31359.5
not affected by terrain losses	1617706	30984.7
lost to NTSC IX	0	0.0
lost to additional IX by ATV	20305	229.7
lost to ATV IX only	20305	229.7
lost to all IX	20305	229.7

Potential Interfering Stations Included in above Scenario 1

25A VA RICHMOND	BLC DT	20021204ABA	LIC
26A MD HAGERSTOWN	BLC DT	20090612AFP	LIC
26A PA PHILADELPHIA	BLC DT	20090326ABH	LIC

After Analysis

Results for: 26A VA RICHMOND BLC DT 20041207AAW LIC
HAAT 328.0 m, ATV ERP 800.0 kW

	POPULATION	AREA (sq km)
within Noise Limited Contour	1660181	31359.5
not affected by terrain losses	1617706	30984.7
lost to NTSC IX	0	0.0
lost to additional IX by ATV	21203	342.6
lost to ATV IX only	21203	342.6
lost to all IX	21203	342.6

Potential Interfering Stations Included in above Scenario 1

25A VA RICHMOND	BLC DT	20021204ABA	LIC
26A MD HAGERSTOWN	BLC DT	20090612AFP	LIC
26A PA PHILADELPHIA	BLC DT	20090326ABH	LIC
26A NC GREENVILLE	USERRECORD01		APP

Percent new IX = 0.0562%

Worst case new IX 0.0562% Scenario 1

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Analysis of Interference to Affected Station 3

Analysis of current record

Channel	Call	City/State	Application	Ref. No.
27	WLFL	RALEIGH NC	BLCDT	-20090612AIF

Stations Potentially Affecting This Station

Chan	Call	City/State	Dist(km)	Status	Application	Ref. No.
26	WRLH-TV	RICHMOND VA	220.4	LIC	BLCDT	-20041207AAW
27	WETA-TV	WASHINGTON DC	385.9	LIC	BLEDT	-20070727ACJ
27	WETA-TV	WASHINGTON DC	385.9	CP	BPEDT	-20120508ACC
27	WCCB	CHARLOTTE NC	204.8	LIC	BLCDT	-20020227AAZ
27	WKPT-TV	KINGSPORT TN	335.1	LIC	BMLCDT	-20110914ABI
28	WRDC	DURHAM NC	0.7	LIC	BLCDT	-20090612AID
26	WEPX-DT	GREENVILLE NC	104.7	APP	USERRECORD-01	

Total scenarios = 1

Result key: 2
Scenario 1 Affected station 3
Before Analysis

Results for: 27A NC RALEIGH BLCDT 20090612AIF LIC

HAAT 610.0 m, ATV ERP 725.0 kW

	POPULATION	AREA (sq km)
within Noise Limited Contour	3018914	45417.9
not affected by terrain losses	3013333	45168.2
lost to NTSC IX	0	0.0
lost to additional IX by ATV	127411	2536.9
lost to ATV IX only	127411	2536.9
lost to all IX	127411	2536.9

Potential Interfering Stations Included in above Scenario 1

27A NC CHARLOTTE	BLCDT	20020227AAZ	LIC
27A TN KINGSPORT	BMLCDT	20110914ABI	LIC
28A NC DURHAM	BLCDT	20090612AID	LIC

After Analysis

Results for: 27A NC RALEIGH BLCDT 20090612AIF LIC

HAAT 610.0 m, ATV ERP 725.0 kW

	POPULATION	AREA (sq km)
within Noise Limited Contour	3018914	45417.9
not affected by terrain losses	3013333	45168.2
lost to NTSC IX	0	0.0
lost to additional IX by ATV	140454	3008.0
lost to ATV IX only	140454	3008.0
lost to all IX	140454	3008.0

Potential Interfering Stations Included in above Scenario 1

27A NC CHARLOTTE	BLCDT	20020227AAZ	LIC
27A TN KINGSPORT	BMLCDT	20110914ABI	LIC
28A NC DURHAM	BLCDT	20090612AID	LIC
26A NC GREENVILLE	USERRECORD01		APP

Percent new IX = 0.4520%

Worst case new IX 0.4520% Scenario 1

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Analysis of Interference to Affected Station 4

Analysis of current record

Channel	Call	City/State	Application Ref. No.
26	WEPX-DT	GREENVILLE NC	USERRECORD-01

Stations Potentially Affecting This Station

Chan	Call	City/State	Dist(km)	Status	Application Ref. No.
25	WUNC-TV	CHAPEL HILL NC	166.0	LIC	BLEDT -20090824ABP
26	WRLH-TV	RICHMOND VA	235.1	LIC	BLCDT -20041207AAW
27	WLFL	RALEIGH NC	104.7	LIC	BLCDT -20090612AIF

Total scenarios = 1

Result key: 3
Scenario 1 Affected station 4
Before Analysis

Results for: 26A NC GREENVILLE USERRECORD01 APP
HAAT 141.0 m, ATV ERP 278.0 kW

	POPULATION	AREA (sq km)
within Noise Limited Contour	737594	16479.0
not affected by terrain losses	737594	16479.0
lost to NTSC IX	0	0.0
lost to additional IX by ATV	22290	594.5
lost to ATV IX only	22290	594.5
lost to all IX	22290	594.5

Potential Interfering Stations Included in above Scenario 1

26A VA RICHMOND	BLCDT	20041207AAW	LIC
27A NC RALEIGH	BLCDT	20090612AIF	LIC

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